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09/494,199	01/28/2000	Ramin Rezaiifar	PA000090CIP	3141
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Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			PHILPOTT, JUSTIN M	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/494,199

Applicant(s)

REZAIIFAR ET AL.

Examiner

Justin M. Philpott

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed April 7, 2005 have been fully considered but they are not persuasive.

Specifically, applicant argues (pages 9-11) that Haas does not teach a message including a number of dormant connections associated with the mobile station as recited in claim 1. However, as discussed in the previous office action, and repeated herein, Haas teaches transmitting a message (e.g., list of active mobiles associated with the cell, or second infrastructure element, see col. 3, lines 50-64) including a number of network connections (e.g., connections of the active mobiles in the second infrastructure element) associated with a mobile station (e.g., mobile 14) and a reduced list of identifiers (e.g., ID numbers) and enhanced information (e.g., addresses of destinations and channel numbers, see col. 3, lines 58-64) associated with the connections, wherein the active connections within the second infrastructure element (i.e., the cell from which the message is transmitted) are viewed as non-active or dormant connections by the first infrastructure element (i.e., the cell which receives the message) (e.g., see col. 3, line 50 – col. 4, line 18), and wherein the dormant connections are connections that are not being used to transmit traffic channel data (e.g., the dormant connections established inherently do not transmit traffic channel data since such data is transmitted on the active connections, see col. 4, lines 5-18). Thus, applicant's argument is not persuasive.

Further, with respect to applicant's argument (page 11) that Haas teaches a list of non-active, or dormant *mobiles*, but not transmitting a list of dormant network *connections*, it is noted

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that Haas specifically teaches transmitting “the address of the destination of the connections” (col. 3, lines 61-62) which inherently comprises applicant’s broad claim limitation of “connections”. Still further, Haas teaches such received information equates to the “dormant connection[s]” (col. 4, line 8).

Finally, with respect to claim 3, applicant argues (pages 13-15) that neither Haas nor Chuah independently teach maintaining a reduced entry PPP connection table that includes RAN PDSN interface communication pipe identifiers. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). As discussed in the previous office action, and repeated herein, Chuah teaches a specific method for allowing the transfer of files and database access connections wherein a PPP connection is transferred from one packet server to another packet server (e.g., see abstract) without having to terminate a current PPP connection and then re-establish a new PPP connection (e.g., see col. 2, lines 1-9). Chuah also teaches a connection table is provided for the PPP connections (e.g., see col. 14, lines 35-41). The teachings of Chuah provide a mobile communications user with the ability to change connections from one network access server to another without having to terminate and then re-establish connections (e.g., see col. 1, line 55 – col. 2, line 37). As discussed, Haas also discloses mobile communications may include file transfer and database access (e.g., see col. 1, lines 15-23), however, Haas may not specifically disclose an embodiment for achieving the transferring of a PPP connection from one packet server to another packet server without having to terminate a current PPP connection and then re-

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establish a new PPP connection. Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings of Chuah to the method of Haas, whereby the dormant/non-active connection table of Haas comprises connections which are PPP connections, in order to provide a specific method for allowing the transfer of files and database access connections wherein a PPP connection is transferred from one packet server to another packet server without having to terminate and then re-establish connections (e.g., see col. 1, line 55 – col. 2, line 37). Thus, applicant's argument is not persuasive.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,577,168 to Haas et al.

Regarding claim 1, Haas teaches a method for transmitting from a second infrastructure element (e.g., one of cells 6 in FIG. 1) associated with a packet data services node (e.g., base station 10, see col. 2, line 1 – col. 4, line 67 regarding data traffic in a packet switched system) a message (e.g., list of active mobiles associated with the cell, or second infrastructure element, see col. 3, lines 50-64) including a number of network connections (e.g., connections of the active mobiles in the second infrastructure element) associated with a mobile station (e.g., mobile 14) and a reduced list of identifiers (e.g., ID numbers) and enhanced information (e.g.,

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addresses of destinations and channel numbers, see col. 3, lines 58-64) associated with the connections, wherein the active connections within the second infrastructure element (i.e., the cell from which the message is transmitted) are viewed as non-active or dormant connections by the first infrastructure element (i.e., the cell which receives the message) (e.g., see col. 3, line 50 – col. 4, line 18), and wherein the dormant connections are connections that are not being used to transmit traffic channel data (e.g., the dormant connections established inherently do not transmit traffic channel data since such data is transmitted on the active connections, see col. 4, lines 5-18).

Regarding claim 2, the message of Haas does not comprise Service Request Identifiers (e.g., see col. 3, lines 50-64).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6, 9, 11-15, 17-21 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haas.

Regarding claims 5, 9, 11, 15, 17, 21 and 23, as discussed above regarding claim 1, Haas teaches a method for transmitting from a second infrastructure element (e.g., one of cells 6 in FIG. 1) associated with a packet data services node (e.g., base station 10, see col. 2, line 1 – col. 4, line 67 regarding data traffic in a packet switched system) a message (e.g., list of active

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mobiles associated with the cell, or second infrastructure element, see col. 3, lines 50-64) including a number of network connections (e.g., connections of the active mobiles in the second infrastructure element) associated with a mobile station (e.g., mobile 14) and a reduced list of identifiers (e.g., ID numbers) and enhanced information (e.g., addresses of destinations and channel numbers, see col. 3, lines 58-64) associated with the connections, wherein the active connections within the second infrastructure element (i.e., the cell from which the message is transmitted) are viewed as non-active or dormant connections by the first infrastructure element (i.e., the cell which receives the message) (e.g., see col. 3, line 50 – col. 4, line 18), and wherein the dormant connections are connections that are not being used to transmit traffic channel data (e.g., the dormant connections established inherently do not transmit traffic channel data since such data is transmitted on the active connections, see col. 4, lines 5-18).

While Haas disclose the message is maintained within, and transmitted from, a base station and not a mobile station, it is generally considered to be within the ordinary skill in the art to shift the location of parts absent a showing of unexpected results. Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to shift the location of database listings from the base station to mobile stations since it is generally considered to be within the ordinary skill in the art to shift the location of parts absent a showing of unexpected results. The contention of obvious choice in design can be overcome if Applicant establishes unexpected results. In re Japikse, 86 USPQ 70 (CCPA 1950).

Regarding claims 12, 18 and 24, the message of Haas does not comprise Service Request Identifiers (e.g., see col. 3, lines 50-64).

Regarding claims 6, 14, 20 and 26, the message of Haas includes packet zone identification information (e.g., lists are specific to coverage area, see col. 3, lines 50-64).

Regarding claims 13, 19 and 25, Haas teaches the message comprises an origination message including an indicator that the dormant network connections are dormant (e.g., the message includes channel numbers associated with the connections, wherein the assigning of channel numbers is indicative of the status of the connection as either active or dormant, see col. 3, line 50 – col. 4, line 18).

6. Claims 3, 4, 7, 8, 10, 16, 22 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haas et al. in view of U.S. Patent No. 6,496,491 to Chuah et al.

Regarding claims 3, 10, 16, 22, 27 and 29, Haas teaches the method as discussed above regarding claims 1, 5, 9, 11, 15, 17, 21 and 23, and further, Haas teaches a connection table (e.g., database list, see col. 3, lines 50-64) that includes identifiers (e.g., ID numbers) and further discloses that the method may be applied to communications which include mobile computing, wireless messaging, file transfer and database access (e.g., see col. 1, lines 15-23) and, also, that the identifiers may comprise IP addresses (e.g., see col. 3, lines 13-16) wherein such an IP connection for file transfer and database access implicitly comprises connection to a network access server. However, Haas may not specifically disclose the connections are PPP connections, wherein the connection table would be a reduced entry PPP connection table.

Chuah also teaches a method for packet data communications experiencing handoffs, and further, teaches a specific method for allowing the transfer of files and database access connections wherein a PPP connection is transferred from one packet server to another packet



server (e.g., see abstract) without having to terminate a current PPP connection and then re-establish a new PPP connection (e.g., see col. 2, lines 1-9). Chuah also teaches a connection table is provided for the PPP connections (e.g., see col. 14, lines 35-41). The teachings of Chuah provide a mobile communications user with the ability to change connections from one network access server to another without having to terminate and then re-establish connections (e.g., see col. 1, line 55 – col. 2, line 37). As discussed, Haas also discloses mobile communications may include file transfer and database access (e.g., see col. 1, lines 15-23), however, Haas may not specifically disclose an embodiment for achieving the transferring of a PPP connection from one packet server to another packet server without having to terminate a current PPP connection and then re-establish a new PPP connection. Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings of Chuah to the method of Haas, whereby the dormant/non-active connection table of Haas comprises connections which are PPP connections, in order to provide a specific method for allowing the transfer of files and database access connections wherein a PPP connection is transferred from one packet server to another packet server without having to terminate and then re-establish connections (e.g., see col. 1, line 55 – col. 2, line 37).

Further, regarding claim 3, the identifiers in a reduced PPP connection table taught by Haas in view of Chuah implicitly includes radio access network packet data service node interface communication pipe identifiers (e.g., see Haas col. 1, lines 30-40 regarding a radio access, or cellular, network; and see Chuah FIG. 8 regarding packet data service node 815 and col. 14, lines 35-41 and Table 4 regarding identifiers implicitly comprising communication pipe identifiers).

Regarding claims 4 and 28, the message of Haas does not comprise Service Request Identifiers (e.g., see col. 3, lines 50-64).

Regarding claims 7 and 8, the enhanced information (e.g., addresses of destinations and channel numbers) of Haas in view of Chuah implicitly conserves traffic channel resources by reducing negotiation or registration (e.g., see Haas col. 3, lines 58-64 regarding transmitting the identified addresses of destinations and channel numbers already associated with the active connections, wherein such transmission implicitly reduces connection negotiation or registration by informing the receiving unit of such existing connection information). Further, regarding claim 7, Chuah teaches the connections comprise PPP connections (e.g., see col. 1, lines 63-68), and as discussed above, at the time of the invention it would have been obvious to one of ordinary skill in the art to apply the teachings of Chuah to the method of Haas, whereby the dormant/non-active connection table of Haas comprises connections which are PPP connections, in order to provide a specific method for allowing the transfer of files and database access connections wherein a PPP connection is transferred from one packet server to another packet server without having to terminate and then re-establish connections (e.g., see col. 1, line 55 – col. 2, line 37). Further, regarding claim 8, Haas teaches the mobile units may utilize IP (e.g., see col. 3, lines 16-23), thus, implying Mobile IP is utilized.

### *Conclusion*

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Philpott whose telephone number is 571.272.3162. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571.272.3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Justin M Philpott



ALPUS H. HSU  
PRIMARY EXAMINER